



**Baker&Hostetler LLP**

45 Rockefeller Plaza  
New York, NY 10111

T 212.589.4200  
F 212.589.4201  
www.bakerlaw.com

Jimmy Fokas  
direct dial: 212.589.4272  
jfokas@bakerlaw.com

June 24, 2016

**VIA ECF AND ELECTRONIC MAIL  
(Failla\_NYSDChambers@NYSD.USCourts.gov)**

Hon. Katherine Polk Failla  
United States District Judge  
Thurgood Marshall Courthouse  
Courtroom: 618  
40 Foley Square  
New York, NY 10007

*Re: Kiderman, et al. v. Downing Inv. Partners, LP, et al., 16-CV-04040 (KPF)(BCM)*

Dear Judge Failla:

This Firm represents Brad Pulver who is named as a defendant in the above-referenced action.

Pursuant to Your Honor's Individual Rules of Practice in Civil Cases, we respectfully request an extension of time to move to dismiss or answer the Complaint in this matter. This is Mr. Pulver's first request for an extension of time.

The deadline to respond to the complaint is June 28, 2016. Mr. Pulver intends to file a motion to dismiss for lack of personal jurisdiction and for failure to state a claim. However, plaintiff's counsel informed us that they intend to shortly file an amended complaint. The Court has adjourned a pre-motion conference scheduled for July 7, 2016 because of plaintiff's representation that they would amend the complaint. Accordingly, we seek an extension of time to move or answer the amended complaint of forty-four (44) days after the filing of the amended complaint (the fourteen-day answer period and an additional extension of thirty days). This extension will avoid the unnecessary expense of responding to a complaint that will soon be amended and allow Mr. Pulver to seek a pre-motion conference should he decide to move to dismiss the amended complaint. Counsel for plaintiffs has consented to this extension.

June 24, 2016  
Page 2

In the event plaintiffs have not filed an amended complaint by July 15, 2016, we request an extension to July 28, 2016 for Mr. Pulver to seek a pre-motion conference in connection with the current complaint.

Thank you for your attention to this request.

Respectfully submitted,

/s/ Jimmy Fokas

Jimmy Fokas

cc: Counsel of Record (via ECF)